

**IDAPA 31****TITLE 11****Chapter 01****31.11.01 - SAFETY AND ACCIDENT REPORTING RULES FOR UTILITIES  
REGULATED BY IDAHO PUBLIC UTILITIES COMMISSION****TABLE OF CONTENTS****RULES 0 THROUGH 100. INTRODUCTION**

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**RULES 0 THROUGH 100. INTRODUCTION****000. LEGAL AUTHORITY (Rule 0).**

These rules adopting by reference national safety codes and requiring reporting of accidents are adopted under the general authority of the Public Utilities Law, Chapters 1 through 7, Title 61, Idaho Code, and under the specific authority of Sections 61-515 and 61-517, Idaho Code.

[Amended, G.O. 194.]

(4-1-98)

**001. TITLE AND SCOPE (Rule 1).**

The name of this chapter is “Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission”. This chapter has the following scope: All electric and telephone corporations subject to the regulation of the Idaho Public Utilities Commission are required to abide by the safety regulations adopted in Rule 101; all gas and pipeline corporations are required to abide by the safety regulations adopted in Rules 201 through 203; and all electrical, gas, pipeline, telephone, and water corporations are required to abide by the safety and accident reporting requirements of Rules 301 and 302.

(7-1-93)

**002. WRITTEN INTERPRETATIONS--AGENCY GUIDELINES (Rule 2).**

For rulemakings conducted before July 1, 1993, written interpretations to these rules in the form of explanatory comments accompanying the order of proposed rulemaking and review of comments submitted in the order adopting these rules are maintained in the files of the Secretary of the Idaho Public Utilities Commission and are available from the office of the Commission Secretary. The Commission Secretary may be contacted in writing at the Idaho Public Utilities Commission, PO Box 83720, Boise, Idaho 83720-0074, or may be reached by telephone at (208) 334-0300. For rulemakings conducted after July 1, 1993, written interpretations to these rules in the form of explanatory comments accompanying the notice of proposed rulemaking that originally proposed the rules and review of comments submitted in the rulemaking decision adopting these rules are published in the issues of the Idaho Administrative Bulletin proposing or adopting the rules.

(7-1-93)

**003. ADMINISTRATIVE APPEALS (Rule 3).**

Any person requesting a waiver from any provision of these safety rules or accident reporting rules may petition the Idaho Public Utilities Commission for a waiver pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq.

(4-1-98)

[Amended, G.O. 194.]

**004. PUBLIC RECORDS ACT COMPLIANCE (Rule 4).**

Notes of telephone reports required by Rule 301 and written reports required by Rule 302 are public records subject to inspection, examination and copying. Further investigative reports by the Commission or the Commission Staff are investigatory records exempt from disclosure. See Sections 9-337(4) and 9-340B, Idaho Code. Reports required by these rules and the results of further investigations by the Commission are by statute prohibited from admission into evidence

in any action for damages based on or arising out of the loss of life or injury to the person or property. See Section 61-517, Idaho Code. (4-5-00)

[Amended, G.O.194; amended, G.O. 201.]

Statutory Reference: *Idaho Code* §§ 9-337(4), 9-340(2); 62-517.

Cross Reference: Rules 301, 302.

#### **005. DEFINITIONS (Rule 5).**

The terms “electrical corporation,” “gas corporation,” “pipeline corporation,” “telephone corporation,” and “water corporation” have the meanings given to them by statute in Chapter 1, Title 61, Idaho Code, orders of the Idaho Public Utilities Commission, and decisions of the Supreme Court of Idaho construing these statutes. (7-1-93)

#### **006. CITATION (Rule 6).**

The official citation of these rules is IDAPA 31.11.01.000 et seq. For example, this rule is cited as IDAPA 31.11.01.006. In documents submitted to the Commission or issued by the Commission however, these rules may be cited by their short title Safety and Accident Reporting Rules (SARR) and the parenthetical rule number. For example, this rule may be cited as SARR 6. [Amended, G.O. 194.] (4-1-98)

#### **007. EFFECTIVE DATE--HISTORY OF RULES (Rule 7).**

The predecessors to these rules (in particular earlier adoptions by reference of previous versions of safety codes) have been adopted many times over the years. The history of these rules preceding the initiation of the publishing of the Idaho Administrative Bulletin and the Idaho Administrative Code is available from the Commission Secretary. (4-1-98)

[Amended, G.O. 194.]

#### **008. INCORPORATED BY REFERENCE – CODE OF FEDERAL REGULATIONS (Rule 8).**

Rules 101, 201, 202, and 203 incorporate by reference various national safety codes and federal gas pipeline safety regulations. Each applicable rule identifies the issuing entity for each code or regulation and indicates where the incorporated materials may be obtained. Incorporated materials are also available for inspection and copying at the offices of the Idaho Public Utilities Commission and the Idaho State Law Library. (3-30-01)

[Adopted, G.O. 206.]

#### **009.-- 100. (RESERVED).**

### **RULES 101 THROUGH 200 – ELECTRIC AND TELEPHONE UTILITIES**

#### **101. NATIONAL ELECTRICAL SAFETY CODE (NESC) (Rule 101).**

The Commission adopts by reference the ANSI C2-1997 National Electrical Safety Code (NESC), 1997 Edition and the errata dated September 3, 1996. The National Electric Safety

Code, 1997 Edition, is published by the Institute of Electrical and Electronics Engineers, Inc., and is available from the Institute of Electrical and Electronics Engineers, Inc., 345 E. 47th Street, New York, NY 10017 and may be ordered by calling 1-800-678-IEEE. All electrical and telephone corporations subject to the Commission's jurisdiction are required to abide by applicable provisions of the NESC. (4-1-98)

[Amended, G.O. 194.]

**102. -- 200. (RESERVED).**

**RULES 201 THROUGH 300 –  
TRANSPORTATION OF NATURAL GAS BY PIPELINES—  
LIQUEFIED NATURAL GAS FACILITIES—  
TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE—  
NATIONAL FUEL GAS CODE--UNIFORM MECHANICAL CODE**

**201. FEDERAL REGULATIONS--49 C.F.R. PARTS 191, 192, 193, 195 AND 199 (Rule 201).**

The Commission adopts by reference Parts 191, 192, 193, 195, and 199, Title 49, the Code of Federal Regulations (October 1, 2000) and Volume 65 Federal Register 54,440 (September 8, 2000), except that federal accident reporting requirements contained in the rules adopted by reference in Rule 201 are replaced for state reporting purposes by orders of the Commission or rules of the Commission. These regulations are found in the Code of Federal Regulations, available from the, U.S. Government Printing Office, Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954. The incorporated CFR Parts are also available in electronic format at [www.access.gpo.gov/nara](http://www.access.gpo.gov/nara). All gas and pipeline corporations subject to the Commission's jurisdiction are required to abide by applicable provisions of these federal regulations adopted by reference. (3-30-01)

[Adopted, G.O. 165; G.O. 171; G.O. 185; amended, G.O. 194; amended, G.O. 206.]

Federal Statutory Reference: 49 C.F.R. Parts 191, 192, 193, 195, 199.

**202. NATIONAL FUEL GAS CODE (NFGA) (Rule 202).**

**01. Adoption by Reference.** The Commission adopts by reference the NFPA 54 ANSI Z223.1 National Fuel Gas Code, 1999 Edition and the errata 99-1 dated April 13, 2000. The 1999 Edition of the National Fuel Gas Code is designated as ANSI Z.223.1-1999 by the American National Standards Institute, Inc. (ANSI), and as NFPA 54-1999 by the National Fire Protection Association (NFPA). The National Fuel Gas Code is jointly published by the American Gas Association, Codes and Standards, 400 N. Capitol Street, NW, Washington, D.C. 20001, and the National Fire Protection Association, 1 Batterymarch Park, PO Box 9101, Quincy, Massachusetts 02269-9101, and is available from them and may be ordered by calling 1-800-344-3555. All gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the National Fuel Gas Code and to connect for service and light only those installations that: (3-30-01)

a. Have been inspected and approved by authorized agencies; or (4-1-98)

b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions of the National Fuel Gas Code as a condition of receiving service or continuing to receive service. (4-1-98)

[Adopted, G.O. 185; amended, G.O. 194; amended, G.O. 206.]

Reference to NFPA 54 ANSI Z.223.1 National Fuel Gas Code, 1999 Edition and errata 99-1.

### **203. UNIFORM MECHANICAL CODE (UMC) (Rule 203).**

**01. Adoption by Reference.** The Commission adopts by reference those portions of the Uniform Mechanical Code 2000 Edition and the undated first errata explicitly referring to gas or gas-burning appliances; provided, however, that unvented room heaters not meeting the requirements of Section 807(c) of the Uniform Mechanical Code may be connected for service if they comply with Sections 6.24 and 7.2 of the National Fuel Gas Code. The Uniform Mechanical Code 2000 Edition is published by the International Association of Plumbing and Mechanical Officials, 20001 South Walnut Drive, Walnut, California 91789-2825 and may be ordered by calling 800-284-4406. Corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the Uniform Mechanical Code and to connect for service and light only those installations that: (3-30-01)

a. Have been inspected and approved by authorized agencies; or (4-1-98)

b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions of the Uniform Mechanical Code; provided, however, that unvented room heaters not meeting the requirements of Section 807(c) of the Uniform Mechanical Code may be connected for service if they comply with Sections 6.24 and 7.2 of the National Fuel Gas Code as a condition of receiving service or continuing to receive service. (4-1-98)

[Adopted, G.O. 185; amended, G.O. 185B; amended, G.O. 194; amended, G.O. 206.]

Reference to Uniform Mechanical Code 1997 Edition Section 807(c); National Fuel Gas Code Sections 6.24, 7.2.

### **204. -- 300. (RESERVED).**

## **RULES 301 THROUGH 400 - REPORTING OF ACCIDENTS**

### **301. IMMEDIATE REPORTING OF FATALITIES AND CERTAIN ACCIDENTS (Rule 301).**

**01. Reporting Required.** Whenever any employee of an electrical corporation, gas corporation, pipeline corporation, telephone corporation, or water corporation or any member of the public dies or requires in-patient hospitalization as a result of contact with or proximity to utility operating property, the utility must notify the Commission by telephone of the fatality or hospitalization no later than the first business day following discovery of the fatality or reporting of the hospitalization, except as provided in Subsection 31.11.01.301.02. Reports should be made to the Commission Secretary at (208) 334-0338. (4-1-98)

**02. Operating Property--Automobile Accident Exception.** As used in this rule, operating property means electric plant as defined in Section 61-118, Idaho Code, gas plant as defined in Section 61-116, Idaho Code, pipelines as defined in Section 61-114, Idaho Code, telephone line as defined in Section 61-120, Idaho Code, or water systems as defined in Section 61-124, Idaho Code. This rule does not apply to fatalities arising out of automobile accidents, even if the automobile later comes into contact with utility plant. Office buildings or portions of office buildings not associated with the physical delivery of utility services or commodities are not considered operating property. (4-1-98)

[Adopted, G.O. 185A; amended, G.O. 194.]

Statutory Reference: *Idaho Code* §§ 61-114, 61-118, 61-120, 61-124.

### **302. WRITTEN REPORTING OF ACCIDENTS (Rule 302).**

**01. Reporting Required.** In addition to any telephone reporting required under Rule 301, a written report of every accident involving an employee of the utility or member of the public that results in a fatality or in-patient hospitalization or any other accident the utility finds significant must be submitted to the Commission within twenty one (21) days after the fatality or injury is discovered. Reports should be mailed to: (7-1-93)

COMMISSION SECRETARY  
IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE ID 83720-0074  
Street Address for Express Mail:  
472 W WASHINGTON ST  
BOISE ID 83702-5983

(7-1-93)

**02. Contents of Written Report.** There is no standard form for written reports prescribed by this rule. Gas companies may file copies of reports submitted to federal regulators under 49 C.F.R. Part 191. All reports submitted must contain the following information:

(7-1-93)

a. Name of person(s) involved in the accident; (7-1-93)

b. Status of persons involved in the accident (e.g., employees, children, contractors, etc.); (7-1-93)

c. Time of day, day of the week and month, and location of the accident or discovery of the accident; (7-1-93)

d. Description of the accident and events leading up to the accident. (7-1-93)

[Adopted, G.O. 185A.]

Federal Statutory Reference: 49 C.F.R. 191.

Cross Reference: Rule 301.

**303. USE OF REPORTS (Rule 303).**

The Commission may find that reports required by Rules 301 and 302 constitute an adequate investigation of the accident reported, may direct the utility to provide further information to the Commission, or may direct its Staff or others to conduct further investigations. Reports required by Rules 301 and 302 and the results of further investigations by the Commission are by statute prohibited from admission into evidence in any action for damages based on or arising out of the loss of life or injury to the person or property. See Section 61-517, Idaho Code. (4-1-98)

[Adopted, G.O. 185A; amended, G.O. 194.]

Statutory Reference: *Idaho Code* § 61-517.

Cross Reference: Rules 301, 302.

**304. -- 999. (RESERVED).**